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FACSIMILE #703-872-9306, FOR EXAMINER F. L.  
EVANS, TELEPHONE 571-272-2414, ART UNIT 2877**

Our Ref. No. P-1259-981

Response 43 pages,  
Drawings 0 sheets  
Terminal Disclaimer 0 sheet  
Total Fax pages 43

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:  
OZANICH

Date: June 8, 2004

Serial No. 09/804,613

Group Art Unit: 2877

Filed: March 12, 2001

Examiner: F. L. Evans

For: AN APPARATUS AND METHOD  
FOR MEASURING AND  
CORRELATING CHARACTERISTICS  
OF FRUIT WITH VISIBLE/NEAR  
INFRA-RED SPECTRUM

## AMENDMENT AND RESPONSE

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Commissioner:

In response to the communication from the Examiner dated April 13, 2004, please  
consider the following:

Response Is Timely

The applicant respectfully observes that this response is timely following the  
Examiner's Communication of April 13, 2004. However, the Examiner is hereby  
authorized to deduct other fees owing from the deposit account of Liebler, Ivey &  
Connor, P.S./Floyd E. Ivey, 35,552, Deposit account No. 50-0607.

Certificate of facsimile filing  
on June 8, 2004 by Floyd E. Ivey,  
Serial No. 09/804,613

Application No. 09/804,613

Floyd E. Ivey, USPTO 35532,

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